

CLAIM AMENDMENTS

1.10. (canceled)

1 11. (new) A fencing system comprising a plurality of
2 pales, a rail and fasteners securing said pales to said rail, each
3 of said pales being generally tubular with a first wall generally
4 concave toward said rail and a second wall convex away from said
5 rail, said walls of each pale defining a space between them, at
6 least one of said fasteners extending into the respective first
7 wall of each pale and drawing the respective first wall against
8 said rail with at least partial flattening of the respective first
9 wall, said second walls being free from engagement by said fasten-
10 ers.

1 12. (new) The fencing system defined in claim 11
2 wherein said first wall defines a space between the respective pale
3 and said rail and each of said fasteners passes through the respec-
4 tive space so as to draw the respective first wall resiliently
5 against said rail.

1 13. (new) The fencing system defined in claim 11
2 wherein each of said first walls has a flat central portion where
3 the respective fastener engages same.

1 14. (new) The fencing system defined in claim 11
2 wherein each of said first walls has a thickened portion where the
3 respective fastener engages same.

1 15. (new) The fencing system defined in claim 11
2 wherein each of said first walls has a thread engaging in the
3 respective hole.

1 16. (new) The fencing system defined in claim 11
2 wherein said walls adjoin at rounded regions abutting said rail for
3 each of said pales.

B,
(cont.)

1 17. (new) The fencing system defined in claim 11
2 wherein each of said pales has a generally crescent shape hollow
3 cross section having rounded regions between said walls and abut-
4 ting said rail.

1 18. (new) The fencing system defined in claim 11
2 wherein each of said pales has longitudinal indentations inducing
3 buckling of the pale when each pale is subject to a predetermined
4 force less than that required to break the respective fasteners and
5 detach the pale from the rail.

1 19. (new) *AA*
2 The fencing system comprising a plurality of
pales, a rail and fasteners securing said pales to said rail, each

3 of said pales being generally tubular with a first wall generally
4 concave toward said rail and a second wall convex away from said
5 rail, said walls of each pale defining a space between them, at
6 least one of said fasteners extending into the respective first
7 wall of each pale and drawing the respective first wall against
8 said rail with at least partial flattening of the respective first
9 wall, said second walls being free from engagement by said fasten-
10 ers, each of said pales being formed with at least one longitudinal
11 indentation inducing buckling of the respective pale when the
12 respective pale is subjected to a predetermined force less than
13 that required to break a respective fastener a respective fastener
14 and detach the pale from the rail.
